From: Ragsdale, Dave (ECY)
Sent: Monday, July 21, 2008 4:33 PM
To: Snouwaert, Elaine (ECY); Joy, Joe (ECY)
Subject: RE: Hangman Creek TMDL Report Ready for Review!

Elaine and Joe, Hello.

My comments on this draft of the Hangman TMDL are listed below. I have some other projects that are sucking at my time, so I tried to get my comments about Hangman to you quickly. FYI. I stopped my review at the monitoring section so please let me know if there is info presented later in the TMDL that answers my comments/questions.

- I spoke with both of you already about the need to better describe why it is reasonable and permissible to assume reductions in loading of FC, sediment (TSS) (and temperature?) at the Idaho/Coeur d'Alene Tribe's border. 'Reasonable' in that these reductions can be achieved by implementation/restoration activities and 'permissible' in the context that the upstream jurisdiction is OK with incorporating reduced loading into the WA TMDL. As currently written, the TMDL simply presumes reductions at the border as part of the loading strategy and says that they will be addressed in the future (by Ecology, EPA and the Tribe) . (following excerpt from page 80, basically reiterated on pages 123 and 125) "Hangman Creek, Little Hangman Creek and Rock Creek will require FC load reductions coming across the Idaho border into Washington. Ecology encourages the US Environmental Protection Agency, the Coeur d'Alene Tribe, and the State of Idaho to work together to reduce the upstream FC loads." We have no authority to assign loading reductions to upstream sources in Idaho or on Tribal lands. However, I believe incorporating load reductions at the upstream border is permissible as long as the TMDL provides: 1) justification that the reductions are reasonable/achievable; and 2) that the upstream jurisdiction supports this reduction. The upstream jurisdiction is the Coeur d'Alene Tribe who has been an active participant supporting development of this TMDL and is very interested in restoring water quality and habitat on both sides of the border. My recommendation is that the TMDL clearly identify the presumptions being made about improved upstream water quality conditions (TSS, FC and temperature?) and that the tribe supports and will work toward achieving these targets in the Hangman watershed on reservation lands. This discussion can be very simple but Scott (C d'A Tribe) must be consulted about what is said. To be clear, I am not saying that a formal gov't-to-gov't agreement is needed but we must secure the Tribe's concurrence.... I am willing to help brainstorm language with Ecology and the Tribe if desired.
- I recommend that a temperature WLAs for any of the WWTPs that potentially discharge during the critical season be specified. Language at the bottom of page 95 suggests WLAs necessary in this TMDL are being deferred to future permit development. Discharges to receiving waters from constructed wetlands (discussed on page 98) must be addressed as though they were from any type of treatment system. The (Hicks, 2007) opinion cited about a situation where a constructed wastewater treatment wetland discharges to a natural wetland does not seem to fit Hangman . The TMDL discussion is unclear about whether the small WWTPs discharge during the critical season and potentially cause or contribute to violations of temperature criteria. If they do, then they need WLAs.
- Curious who are the "watershed managers" (page 99, third paragraph)?
- I support your approach to use the 'best potential condition' for establishing targets for TSS loading. I cannot think of a better approach for Hangman but this is my first experience with sediment TMDLs and have inquired with Laurie Mann whether this will be an issue for EPA to approve. I hope and expect it will not.
- WLAs for MS4s are necessary because they are point sources which contribute sediment to the receiving water. WLAs for sediment from these sources are not included in the TMDL (discussed at end of **load and wasteload allocation** section on page 124). The WLAs need to be explicit so they may be simply implemented via the general permits used to regulate MS4s via Ecology's 'appendix approach'. I asked Ed O'Brian about his opinion for this situation and he mentioned that the Eastern Washington SW Manual specifies BMP's achieve an 80% reduction in annual sediment loading. You could cite this reduction as the WLA and state that achieving it over time will resolve any sediment loading issues associated with these sources. I recommend that the jurisdictional boundaries for the MS4s in the Hangman watershed be identified so that the implementation requirement is clear to these permittees.

Thanks, Dave.

From: Snouwaert, Elaine (ECY)
Sent: Tuesday, July 15, 2008 3:32 PM
To: Bill Rickard; Bill Sayres; Bob Crotty; Bob Gaulke (rgaulke@spokanecounty.org); 'Brattebo, Ben'; Cathy McBeth; Clint Stevenson; Clyde Sample; Dan Ferguson; Ragsdale, Dave (ECY); David Tysz; Dennis Fuller (ddfuller@centurywest.com); Don Mangis; James Connolly; Jennie Kane; Jilla Send Copies, Hangman; Jory

Oppenheimer; Joy, Joe (ECY); Kirk Lally (klally@freemansd.org); Kris Budde; Larry Esvelt; Layne Merritt; Lon Ottosen; Marilyn; Micki Harnois; Penney Tee; Reanette Boese; Rich Weatherly; Rick Noll (rick-noll@sccd.org); Scott Fields (sffields@cdatribe-nsn.gov); TDH Randy Noble; Tim Hahner; Toby Trower; Ty Meyer; Tyson.Clyne@deq.idaho.gov; walt-edelen@sccd.org; P. E. Greg Lahti (lahtig@wsdot.wa.gov)
Cc: McGuire, Patrick D. (ECY); Koch, Richard A. (ECY); Sherwood, Kim H. (ECY); Wall, Cynthia (ECY); Nichols, Donald G. (ECY); Peterschmidt, Lucy (ECY); Joy, Joe (ECY); Snouwaert, Elaine (ECY)
Subject: Hangman Creek TMDL Report Ready for Review!

Dear Hangman Creek TMDL Advisory Committee,

The moment you've been waiting for is here! We have a draft report for the Hangman Creek Watershed TMDLs available for your review. This report addresses fecal coliform bacteria, temperature and turbidity. The report is a very large file so we have placed it on Ecology's FTP site for downloading rather than sending through email. There is both a Word version (about 6.5 MB) and a PDF version (about 2.8 MB).

To access the reports please go to: ftp://www.ecy.wa.gov/Hangman%20Creek%20TMDL/
Please Note: Files only remain on the site for 2 weeks. If you need it and it has vanished from the site please contact me.

This is a fairly long report, especially since it covers three pollutants. If you need to limit your review time, we recommend focusing on the Executive Summary (pages 8-25) and the Implementation Strategy (pages 128-147). We would really appreciate your help in refining the report. Please let us know of concerns regarding:

- Portions are of the report that are just plain confusing or difficult to understand
- Any inconsistencies in the report
- Typos, errors, etc.
- General suggestions to improve the report

Keep in mind that the report still needs to go through a final formatting process prior to publication.

We would also like to schedule a meeting this month to present an overview of the report and discuss any comments and/or concerns and the next steps of this process. **We would like to propose meeting on July 31st at 6:30 p.m. at the Fairfield Community Center** (usual place). If you would like to attend the meeting and this date does not work for your schedule please let me know. If there are a lot of conflicts with this meeting day and time we will try to reschedule.

Thanks for your patience! I know this has taken a long time.
Elaine

Elaine Snouwaert
Water Quality Program
Department of Ecology
4601 N. Monroe St
Spokane, WA 99205
509-329-3503
esno461@ecy.wa.gov